United Nations A/54/334

General Assembly

Distr.: General
9 September 1999

Original: English

Fifty-fourth session
Items 119 and 128 of the provisional agenda*
Review of the efficiency of the administrative and financial functioning of the United Nations

Report of the Secretary-General on the activities of the Office of Internal Oversight Services

Review of the Office for the Coordination of Humanitarian Affairs

Note by the Secretary-General

1. Pursuant to General Assembly resolution 48/218 B of 29 July 1994, the Secretary-General has the honour to transmit herewith, for the attention of the Assembly, the report conveyed to him by the Under-Secretary-General for Internal Oversight Services on the review of the Office for the Coordination of Humanitarian Affairs.

2. The Secretary-General takes note of the findings and concurs with the recommendations set out in the report.

* A/54/150

99-26120 (E) 151099

Review of the Office for the Coordination of Humanitarian Affairs

Summary

Following the approval by the General Assembly, in January 1998, of the proposals of the Secretary-General in his programme for reform, the former Department of Humanitarian Affairs was reorganized and renamed the Office for the Coordination of Humanitarian Affairs. The findings and recommendations in the present report are based on a review of the management strategies of the Office aimed at achieving a strengthened capacity to respond to humanitarian crises, and on an assessment of the action taken to focus on core functions in order to achieve effectiveness in providing humanitarian assistance to countries in crisis, following the reorganization and restructuring of the Office.

The inspection by the Office of Internal Oversight Services concluded that the streamlining and reorganization within the Office for the Coordination of Humanitarian Affairs have enhanced its capabilities to respond to emerging humanitarian crises. The Office has strengthened its coordination with other departments of the United Nations Secretariat, and with United Nations funds and programmes, other humanitarian agencies and non-governmental organizations. Furthermore, the Office has established meaningful and open dialogue with donors and with the humanitarian community. Equally important, the Office is displaying greater sensitivity to the specific mandates of other humanitarian agencies, and is taking measures to reduce the incidence of duplication of responsibilities, competition and disagreement over areas of operation that has beset the humanitarian community in the past.

The inspection also confirmed that the workings of the Inter-Agency Standing Committee and the consolidated appeals process have greatly improved.

Additional efforts are required, however, to enforce a more action-oriented approach in addressing issues of coordination within the Executive Committee on Humanitarian Affairs, and there is need for a strategic management framework to further enhance the appeals process. On the basis of the findings, the report makes five recommendations which include enhancing the functioning of the Executive Committee, establishing more effective monitoring of the consolidated appeals process, and strengthening the advocacy role of the Office for the Coordination of Humanitarian Affairs with the general public.

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I. Introduction**

1. The programme for reform of the Secretary-General included his plans to strengthen the capacity of the United Nations to respond to humanitarian crises. Those plans were endorsed by the General Assembly in section F of its resolution 52/12 B of 19 December 1997. A number of actions required of the Office for the Coordination of Humanitarian Affairs were set out in the report of the Secretary-General entitled "Renewing the United Nations: a programme for reform" (A/51/950 and Add.1-7), as follows:

(a) The Office for the Coordination of Humanitarian Affairs would focus on the core functions spelled out in General Assembly resolution 46/182 of 19 December 1991 (the resolution that *led to the establishment of* the Department for Humanitarian Affairs), namely: (i) policy development and coordination functions in support of the Secretary-General, ensuring that all humanitarian issues, including those which fall between gaps in existing mandates of agencies such as protection and assistance for internally displaced persons, are addressed; (ii) advocacy of humanitarian issues with political organs, notably the Security Council; and (iii) coordination of humanitarian emergency response by ensuring that an appropriate response mechanism is established, through consultations in the Inter-Agency Standing Committee, on the ground;

(b) The Inter-Agency Standing Committee would be further strengthened and continue to be the main consultative body for humanitarian agencies (see A/51/950, paras. 186-192).

2. An inspection of the Office for the Coordination of Humanitarian Affairs was conducted by the Office of Internal Oversight Services from late December 1998 through March 1999. The inspection focused on management strategies aimed at strengthening the capacity of the Office to respond to humanitarian crises. Actions taken to focus on core functions and thereby enhance their effectiveness were assessed. The functioning and effectiveness of the Inter-Agency Standing Committee and, in particular, how it had been actually strengthened, were reviewed. The in-depth evaluation of the former Department of Humanitarian Affairs, carried out by the Office of Internal Oversight Services in late 1996 and early 1997, the aspects of the programme of reform of the Secretary-General related to humanitarian affairs, and the revision of the medium-term plan for the then Department, served as background information. Interviews were held with officials of the Office for the Coordination of Humanitarian Affairs and several major donor representatives, the funds and programmes most directly involved in humanitarian assistance, i.e., the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Development Programme (UNDP), the World Food Programme (WFP) and the United Nations Children's Fund (UNICEF)) and members of the Inter-Agency Standing Committee and the Executive Committee on Humanitarian Affairs. The Office of Internal Oversight Services deeply appreciates the assistance rendered by all officials of the Office for the Coordination of Humanitarian Affairs and the funds and programmes concerned.

3. Following the approval by the General Assembly of the proposals of the Secretary-General, *in January 1998* the former Department of Humanitarian Affairs was *reorganized and* renamed the Office for the Coordination of Humanitarian Affairs. *The Office for the Coordination of Humanitarian Affairs was* given the mandate to: (a) coordinate international response to humanitarian crises, including contingency planning when appropriate; (b) provide the humanitarian community with support in policy development; and (c) act as an advocate on humanitarian issues.

4. The head of the Office for the Coordination of Humanitarian Affairs has dual responsibility as the Under-Secretary-General for Humanitarian Affairs and as the Emergency Relief Coordinator. He is the principal adviser to the Secretary-General on humanitarian issues and also serves as a link between the humanitarian community and the intergovernmental organs of the United Nations, as well as the political, security, developmental and human rights elements of the United Nations system. This is achieved partly through his role as the convener of the Executive Committee on Humanitarian Affairs, and through his chairmanship of the Inter-Agency Standing Committee. The Inter-Agency Standing Committee brings together all major humanitarian actors, both within and outside the United Nations system. It works to develop a shared analysis of a given crisis and to ensure inter-agency decision-making on the response to complex emergencies and on the development of humanitarian policies.

5. The process of reform of the Office for the Coordination of Humanitarian Affairs sought to strengthen its leadership role in coordinating humanitarian efforts, using a more strategic, focused, proactive and consultative approach. Improved complementarity and interaction between the offices at Headquarters and Geneva, with more

** The text shown in italics represents the comments of management on the present report.

clarity of functions and objectives, was another important goal. The new organizational structure includes, *at Headquarters, a* Policy, Advocacy and Information Division, the Emergency Liaison Branch, *the Executive Office and the secretariat of the Inter-Agency Standing Committee and Executive Committee on Humanitarian Affairs*. The office at Geneva serves as the main focal point for the coordination of the response to natural disasters and environmental emergencies, contingency planning and day-to-day support of the field in complex emergencies, and for the preparation of consolidated inter-agency appeals. In the field, the Office for the Coordination of Humanitarian Affairs is present at 23 locations where both international and national staff are deployed to carry out humanitarian activities.

II. Policy development and advocacy

6. With its partners in the Inter-Agency Standing Committee, the Office for the Coordination of Humanitarian Affairs is advancing humanitarian policy development by identifying humanitarian issues that arise from operational experience in the field and that require study and analysis, and by formulating policy guidelines.

7. A main focus of the advocacy function of the Office is to stimulate greater respect for, and compliance with, humanitarian principles, and to formulate policy responses when these principles are disregarded. The Office of Internal Oversight Services noted that the Office for the Coordination of Humanitarian Affairs is working, through the mechanism of the Inter-Agency Standing Committee, to find ways in which to give concrete effect to the principles for United Nations action in countries in crisis, and to develop country-specific ground rules covering issues such as access, security, and interaction with local and national authorities.

8. The efforts of the Office for the Coordination of Humanitarian Affairs are aimed at giving voice to the victims and at ensuring that humanitarian issues and concerns are taken fully into account in all relevant political, peacekeeping, developmental, human rights and humanitarian forums. These efforts, in conjunction with those of other humanitarian organizations, are aimed not only at Member States of the United Nations and United Nations organs, such as the Security Council, *the General Assembly and the Economic and Social Council*, but also aimed at the media and civil society, including non-governmental organizations and academia. The Office of Internal Oversight Services considers that the Office for the Coordination of Humanitarian Affairs should further strengthen its advocacy role with the general public with regard to, for example, the security of humanitarian personnel.

A. Assistance to internally displaced persons

9. The Office of Internal Oversight Services ascertained that the Office for the Coordination of Humanitarian Affairs is playing a key role in facilitating the establishment of a coordinated strategy to address issues affecting internally displaced persons and to define a framework for collaboration and division of labour in order to reinforce the mandates of humanitarian agencies and to avoid duplication of effort. The Emergency Relief Coordinator, in his capacity as the Chairman of the Inter-Agency Standing Committee, is the system-wide focal point for inter-agency coordination of humanitarian assistance to and protection of internally displaced persons, for which no single agency has a comprehensive mandate.

10. The issuance, by the representative of the Secretary-General on internally displaced persons, of the guiding principles on internal displacement (E/CN.4/1998/53/Add.2, annex) was an important step forward that has enhanced awareness among the international community of the worldwide dimension of internally displaced persons. These principles, which were presented to the Commission on Human Rights in 1998 and are fully supported by the Inter-Agency Standing Committee, are based upon existing international humanitarian law and human rights instruments and will serve as an international standard to guide Governments as well as international humanitarian and development agencies in the provision of assistance and protection to internally displaced persons.

B. Coping with the humanitarian impact of sanctions

11. The increased use of sanctions regimes in recent years by the Security Council has brought to light a number of difficulties relating to the elaboration of such regimes and their enforcement. The lack of proper institutional arrangements to address, in an objective manner, the humanitarian impact of sanctions has limited the capacity of the United Nations system to respond efficiently to the humanitarian consequences of sanctions regimes. In his annual report on the work of the Organization in 1998, the Secretary-General stressed the need for a mechanism that renders sanctions a less blunt and more effective instrument,

aimed at exerting pressure on targeted regimes rather than peoples and thus reducing humanitarian costs.[1]

12. The Office of Internal Oversight Services found that the Office for the Coordination of Humanitarian Affairs had taken the necessary steps to review the need for new institutional arrangements in the elaboration and implementation of sanctions regimes with regard to the efforts of the United Nations to minimize the humanitarian impact of sanctions. The Office for the Coordination of Humanitarian Affairs has asserted its role as an intermediary between humanitarian organizations and sanctions authorities, and made appropriate institutional arrangements to process information on the potential or actual humanitarian impact of sanctions.

C. Linking relief to development

13. Humanitarian action is closely related to the political, human rights, socio-economic and environmental aspects of crises. A major challenge, therefore, is to develop more integrated responses throughout the United Nations system to complex crises and to peace-building. The Office of Internal Oversight Services learned that the Office for the Coordination of Humanitarian Affairs is working with its inter-agency partners to develop and promote the concepts of strategic frameworks and common programming. The strategic frameworks define the principles, general policies and institutional arrangements for the response by the United Nations system to a humanitarian crisis and serves as a common conceptual tool to identify, analyse and prioritize key issues and objectives. It comprises a political strategy, field-based arrangements for a common international assistance programme, and human rights concerns. The policy concerns of the Office for the Coordination of Humanitarian Affairs in this area are focused on: (a) the links between relief and development; (b) the development of appropriate assistance strategies during the transitional recovery phase; (c) the protection and security of civilian populations and of humanitarian workers; (d) ensuring that gender concerns are addressed in humanitarian response; (e) considering the criteria required to designate areas as safe or protected; and (f) studying the humanitarian implications of the proliferation of small arms.

III. Information management

14. The Information Management Services Branch of the Office for the Coordination of Humanitarian Affairs supports the policy and advocacy functions of the Office and consolidates information functions that were formerly dispersed among its various entities. The core functions of the Branch are to enhance the early warning capability of the Office and the humanitarian community, manage the publications programme of the Office in both print and electronic media, and manage the information resource centre of the Office.

15. The Branch addresses the problem of separate organizational Web sites on humanitarian issues by promoting the establishment of a single humanitarian gateway on the Web. Each organization would still maintain its own Web site but they would be linked and users would benefit from cross-organizational information. Since its official launch in 1996, ReliefWeb became one of the principal on-line information resources for the humanitarian community on global natural disasters and *complex* emergencies. ReliefWeb has users in over 150 countries who access more than 300,000 documents each month. Complex emergencies and natural disasters are monitored daily.

IV. Coordination mechanisms

16. Given the magnitude of complex humanitarian emergencies, the Office for the Coordination of Humanitarian Affairs has increased its coordination efforts to ensure that the many civilian victims of conflicts and natural disasters are provided with timely humanitarian assistance and, if necessary, protection. As a result of these efforts, the international community provided over US$ 1 billion in aid (including bilateral aid) to victims of the approximate 61 natural and environmental disasters that occurred in 1998.

A. Inter-Agency Standing Committee

17. The Inter-Agency Standing Committee comprises representatives of relevant United Nations operational agencies and other intergovernmental and non-governmental humanitarian organizations. Participation by the World Bank since March 1999 has further strengthened the Standing Committee. Since the establishment of the Office for the Coordination of Humanitarian Affairs in January 1998, various measures have contributed to strengthening the role of the Inter-Agency Standing Committee as a viable mechanism for interaction within the wider humanitarian community and for ensuring dialogue with stakeholders. Senior representatives of the members of the Standing

Committee meet once a week in New York and at Geneva to exchange information on humanitarian issues affecting ongoing operations throughout the world. In addition to formal *working* meetings *on specific country issues*, the members of the Standing Committee engage in ongoing consultation at various levels, that is, *between the Emergency Relief Coordinator and* heads of agencies, as well as among Headquarters and field staff.

18. The Office of Internal Oversight Services learned that the Emergency Relief Coordinator has sought to engage the Inter-Agency Standing Committee in proactive and collaborative efforts to deal with a limited number of key humanitarian issues. In October 1998, the Standing Committee issued its recommendations related to the review of the capacity of the United Nations system for humanitarian assistance. The recommendations are being used to guide the selection of appropriate coordination arrangements at the field level. They further address issues related to internally displaced persons, local capacities for relief and development, resource mobilization, monitoring and evaluation, and human resources management and development. *The Inter-Agency Standing Committee has also issued major statements on support for the International Criminal Court, on days of tranquillity for polio eradication in a number of countries in an emergency situation and on the mainstreaming of gender concerns into humanitarian assistance and policies.* The Office for the Coordinator of Humanitarian Affairs is routinely taking the lead in fielding missions and negotiating access and other concessions on behalf of the members of the Inter-Agency Standing Committee. *In exercising his advocacy role, the Emergency Relief Coordinator has routinely made important statements on behalf of the Inter-Agency Standing Committee on major humanitarian issues, including the provision of access to and respect for the basic human rights of victims of conflict.*

19. Through its working group, the Inter-Agency Standing Committee has broadened the consultative process on policy issues by delegating to individual members lead responsibility in subsidiary working groups or reference groups for specific issues (e.g., gender and humanitarian response, human rights and humanitarian action, field practices with regard to internally displaced persons, and post-conflict reintegration).

B. Executive Committee on Humanitarian Affairs

20. As stated above, the head of the Office for the Coordination of Humanitarian Affairs is the convener of the Executive Committee on Humanitarian Affairs, one of the four executive committees established as part of the United Nations reform, to strengthen policy and managerial coherence in the work of the Organization. The members of the Executive Committee *are the Department of Political Affairs, the Department of Peacekeeping Operations, UNHCR, WFP, UNICEF, UNDP, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and the Office of the High Commission for Human Rights. The Secretary-General has on an exceptional basis, approved the participation of the Food and Agriculture Organization (FAO) and the World Health Organization (WHO) and in meetings of the Executive Committee on an ad hoc basis.* The Office for the Coordination of Humanitarian Affairs is also a member of the Executive Committee on Peace and Security, which is convened by the head of the Department of Political Affairs. These committees enable simultaneous consideration of the political, security and humanitarian dimensions of emergency situations.

21. The creation of the executive committees, including the Executive Committee on Humanitarian Affairs, provided the United Nations with a mechanism to address gaps as well as overlaps in the concerted functioning of its various entities. The agendas for the monthly meetings of the Executive Committee on Humanitarian Affairs usually include points considered relevant by the concerned actors. While the briefings and the sharing of information are valuable, the Office of Internal Oversight Services would advise the Office for the Coordination of Humanitarian Affairs to adopt a more action-oriented approach by defining, more specifically, the issues to be addressed *within the United Nations context* under the various agenda items, and by focusing discussions on different options for action, without compromising the position of the Inter-Agency Standing Committee.

22. The Office of Internal Oversight Services gathered from interviews with members of the Inter-Agency Standing Committee that, since January 1998, the meetings of the Committee and its *working groups* had become more substantive. A review by the Office of Internal Oversight Services of relevant documentation confirmed that specific issues are being addressed and decisions taken, and that the establishment in New York of a joint secretariat for the Standing Committee and the Executive Committee, which reports directly to the Emergency Relief Coordinator, had assisted in that process. Furthermore, the Office of Internal Oversight Services observed that the merging of the secretariats for the two committees into one entity had also alleviated some concerns regarding overlap in mandates and

duplication between the Standing Committee and the Executive Committee.

23. As called for by the Secretary-General in his proposals for reform, a humanitarian segment of the annual substantive session of the Economic and Social Council was held in 1998 to provide guidance on overall humanitarian issues and coordination. During the segment, Member States, members of the Inter-Agency Standing Committee and United Nations resident/humanitarian coordinators from selected countries engaged in high-level discussions on a number of topics relevant to the work of the humanitarian organizations. The establishment of the humanitarian affairs segment has afforded the Office for the Coordination of Humanitarian Affairs an additional opportunity to bring to the attention of the Member States important issues in regard to addressing principles of humanitarian action. By means of its agreed conclusions, the Council has made a series of recommendations which were welcomed by the General Assembly. Among those recommendations was a request for the Secretary-General, in consultation with Governments, to recommend ways in which to enhance the humanitarian segment of the Economic and Social Council (agreed conclusions 1998/1).[2] The Office for the Coordination of Humanitarian Affairs is following up on the implementation of the recommendations of the Council and, with regard to the humanitarian segment, submitted suggestions in April 1999 on ways in which to strengthen the capacity of the Council to review activities in the field, in particular in regard to coordination by United Nations agencies. Some concern was expressed about the need to ensure that the information submitted to the Council for its discussions does not duplicate that submitted to other bodies in the United Nations system which address humanitarian affairs. The Office for the Coordination of Humanitarian Affairs pointed out that the executive boards of operational agencies review the sectoral activities of those organizations only, whereas, during the humanitarian affairs segment, the Economic and Social Council reviews the performance of the United Nations humanitarian system as a whole, and in particular the performance of the Office in carrying out its coordination role.

24. The enhanced role of the Office for the Coordination of Humanitarian Affairs in briefing the Security Council has been found to be extremely useful and relevant.

C. Field coordination

25. The humanitarian response of the United Nations to most emergencies requires significant participation by a large number of actors in the field. To respond to emergency situations, the Emergency Relief Coordinator, in consultation with the Inter-Agency Standing Committee, may appoint a humanitarian coordinator (usually the United Nations resident coordinator concerned) to ensure effective coordination of the overall humanitarian effort in the field. It is essential that humanitarian coordinators work closely with the representatives of other organizations of the United Nations system, as well as with those of non-governmental organizations and international organizations, to ensure the coherent and timely delivery of humanitarian assistance. Other responsibilities of the humanitarian coordinator include undertaking negotiations, on behalf of the humanitarian agencies, with relevant authorities on such issues as access to the needy populations, as well as the security of victims and relief workers. While the Inter-Agency Standing Committee considers that resident coordinators will usually serve as humanitarian coordinators, there are two other alternatives to the coordination arrangements, namely, a lead agency may be assigned to provide humanitarian coordination or an independent humanitarian coordinator may be appointed. The *Office for the Coordination of Humanitarian Affairs has strengthened its Geneva office so that it can provide dedicated support and capacity to the humanitarian assistance coordination units in the field, thereby enabling them to respond more effectively to humanitarian needs.*

D. Consolidated appeals process

26. The success of the international community in responding to a humanitarian crisis depends not only on well-coordinated action, but also on raising the resources needed to ensure timely assistance. The consolidated appeals process is designed to provide an overall strategy that enables the United Nations system to set clear goals and to define priorities for the humanitarian programme in a given country. The consolidated appeals process provides a framework for joint programming, establishment of common priorities and joint resource mobilization. The Office for the Coordination of Humanitarian Affairs takes the lead in preparing the appeals, following up with donor countries and monitoring the receipt and use of contributions.

27. The Office of Internal Oversight Services learned that, between 1992 and 1998, the Office for the Coordination of Humanitarian Affairs had launched 94 consolidated appeals which had raised US$ 12.5 billion for humanitarian assistance in 17 countries. In 1998, United Nations agencies and programmes requested a total of US$ 2.16 billion

through the consolidated appeals process to address humanitarian needs in more than 15 countries that were experiencing a complex emergency. By the end of 1998, the cumulative response to those appeals had been a little under 50 per cent. This reduced donor response rate appears to be following a downward trend in funding humanitarian operations that has been witnessed over the past few years. The Office of Internal Oversight Services was informed that, in an effort to counter this trend, the Office for the Coordination of Humanitarian Affairs and its partners in the Inter-Agency Standing Committee have taken the necessary steps to strengthen the consolidated appeals process. The Office for Internal Oversight Services noted that the simultaneous issuance in December 1998 of consolidated appeals for 1999, assisted in establishing more transparency in relationships with 20 major or potential donors, which would hopefully increase funding through the consolidated appeals process.

28. During 1998, the Office for the Coordination of Humanitarian Affairs and its partners in the Inter-Agency Standing Committee worked on the planning and preparation of appeal documents following a comprehensive technical guide developed at the conclusion of an inter-agency process workshop held earlier in the year. In 1999, the Office for the Coordination of Humanitarian Affairs has placed additional emphasis on the appeal preparation process to ensure that it is more comprehensive and field driven. As far as possible, common humanitarian action plans have been developed in collaboration with all members of the Inter-Agency Standing Committee, Governments, non-governmental organizations and donors in order to ensure the widest support for the programme and projects for which funding is being sought. Emphasis is placed on keeping budgets realistic and fundable, while incorporating both humanitarian emergencies and post-conflict rehabilitation needs, in keeping with the recommendations of the Economic and Social Council and the Secretary-General. In addition, the Office for the Coordination of Humanitarian Affairs has organized training workshops for sensitizing and orienting staff to the new thinking and approaches in improving the system. The Office continues to build a cadre of expertise, drawn from cooperating agencies of the Inter-Agency Standing Committee and its own international resources, in order to improve the processes and end product in this domain. This is being done in close cooperation with governmental partners in order to ensure that their own programming and monitoring expertise are durably enhanced. The Office of Internal Oversight Services welcomes these initiatives.

29. The Office of Internal Oversight Services is of the view that the 1998 consolidated appeals process has seen an improvement over previous appeals in terms of organization; this was confirmed by the donor countries interviewed. The Office of Internal Oversight Services, however, considers that there is need for a more effective monitoring process and for more consistent provision of follow-up information to donors, after the appeals are issued. The Office for the Coordination of Humanitarian Affairs has recognized this need, and scheduled a mid-term review of the consolidated appeals process, to be presented to donors on 22 July 1999. The Office of Internal Oversight Services also found that transparency with regard to various trust funds is required and recommends that a system of reporting to donors on the status of those funds be established. Some donors suggested that the availability of resources to a country or region be indicated and that the Office for the Coordination of Humanitarian Affairs should play a bigger role in distributing funds according to established priorities. On the other hand, in response to queries by the Office of Internal Oversight Services, those donors acknowledged that they could be more forthcoming in signalling priorities and providing feedback. The Office for the Coordination of Humanitarian Affairs recognized that some donors had indeed expressed the wish for it to play a larger role in the distribution of funds through the consolidated appeals process but maintained that the Office did not have the capacity, in its present form, to deal with it. The Office of Internal Oversight Services is of the view that the Office for the Coordination of Humanitarian Affairs needs to look more closely into this and to communicate its position to the concerned donors.

30. The linkage between the programming aspects of the consolidated appeals process and the United Nations Development Assistance Framework (UNDAF) provides the basis for strategically coordinated programming for recovery and peace-building. The consolidated appeals process itself is linked to the strategic framework process. United Nations agencies, funds and programmes are currently engaged in efforts to strengthen the effectiveness of both UNDAF and the consolidated appeals process. Because UNDAF is a tool for coordinating development programmes in close collaboration with Governments, there is a need to reconcile the two approaches in the recovery process. The Office of Internal Oversight Services considers this linkage an essential element of the ongoing need for United Nations offices to pool resources and work closely together. The Office for the Coordination of Humanitarian Affairs, as facilitator of the consolidated appeals process, should continue working with the United Nations Development

Group, as the lead for UNDAF, on the modalities required for the consistent and regular exchange of information on the developments in both processes.

E. Relationships between humanitarian coordinators and special representatives of the Secretary-General

31. The Office for the Coordination of Humanitarian Affairs has developed policy guidelines to assist all humanitarian coordinators in their working relationships with political appointees of the Secretary-General. These guidelines conform to the principles and recommendations laid out in the reports of the Secretary-General on renewing the United Nations: a programme for reform (A/51/950 and Add.1-7) and on the causes of conflict and the promotion of durable peace and sustainable development in Africa (A/52/871-S/1998/318). The guidelines also complement the standard directives for special representatives of the Secretary-General heading multidimensional peacekeeping operations, which were recommended by the Executive Committee on Peace and Security and approved by the Secretary-General.

V. Coordination of humanitarian emergency response

32. The Office for the Coordination of Humanitarian Affairs has developed a set of policy initiatives which are intended to respond to complex emergencies; these include: (a) monitoring and early warning; (b) contingency planning; (c) inter-agency situation/needs assessment; (d) field coordination mechanisms; and (e) consolidated appeals.

33. In the area of early warning, the Office is continuously monitoring humanitarian developments throughout the world, especially in potentially vulnerable countries and regions, in order to identify crises that have humanitarian implications.

34. The Office has developed, in consultation with its partners, a contingency plan to move very quickly to determine humanitarian needs and to put in place appropriate coordination mechanisms as a humanitarian crisis emerges. The plan involves carrying out a prompt and objective assessment of the rapidly changing situation to enable immediate intervention in such a crisis, while taking joint decisions on the course of action for each scenario.

35. Some United Nations agencies expressed to the Office of Internal Oversight Services their concern with the seemingly heavy reliance of the Office for the Coordination of Humanitarian Affairs on UNDP which does not have the capability to respond to emergencies. The Office for the Coordination of Humanitarian Affairs responded that its

> *"... relations with UNDP are governed primarily by the fact that the two bodies share responsibility for field coordination. Since in most cases the functions of humanitarian coordinator and resident representative are combined, it is essential for the Office for the Coordination of Humanitarian Affairs to maintain close links with UNDP and the United Nations Development Group in order to ensure effective coordination. Similarly, in order to ensure a smooth transition from relief to development, in both conflict-related emergencies and natural disasters, it is essential that UNDP and the Office for the Coordination of Humanitarian Affairs remain in close contact regarding the action to be taken in specific country situations. These relations do not affect the division of labour as concerns emergency response. Furthermore, as a result of the United Nations reform package of July 1997, disaster mitigation was divested from the Office for the Coordination of Humanitarian Affairs to UNDP. This has called for even closer cooperation between the two bodies, since disaster response and disaster prevention remain within the purview of the Office for the Coordination of Humanitarian Affairs."*

The Office for the Coordination of Humanitarian Affairs was of the opinion that the observation was a matter of perception which it would address at the principals' level. The Office of Internal Oversight Services has taken due note of these comments. It would, however, urge the Office for the Coordination of Humanitarian Affairs to allay this misgiving and address the concern of the agencies by helping them to understand the nature of the relationship between the Office for the Coordination of Humanitarian Affairs and UNDP, and by ensuring that there are no substantive grounds for that concern.

36. The reform of the Department of Humanitarian Affairs led to the strengthening of emergency response functions within the Complex Emergency Response Branch at Geneva and the Emergency Liaison Branch in New York. The Complex Emergency Response Branch is the principal focal point for day-to-day contact with the field. In broad terms, the Branch is responsible and accountable for all issues of field support to promote coordination, the preparation of appeals and other documents to the donor community. The

Emergency Liaison Branch supports the Emergency Relief Coordinator and field coordinators on cross-country policy issues with humanitarian, political, security and military dimensions; interacts with Secretariat entities (in particular the Department of Political Affairs, the Department of Peacekeeping Operations and the Office of the United Nations Security Coordinator), intergovernmental bodies and relevant actors on complex emergency situations and issues; and prepares reports on the humanitarian aspects of emergencies for the Secretary-General, the Security Council, other intergovernmental bodies and relevant forums.

37. The humanitarian consequences of natural and environmental catastrophes and industrial accidents often exceed the coping mechanisms and aid resources of a single country. When natural disasters strike, their impact is particularly severe in developing countries and international interventions are often needed to help the victims. Responding to emergencies and natural disasters requires the rapid deployment of human, financial and logistical resources. To help coordinate the actions of the international community in responding to disasters, the Office for the Coordination of Humanitarian Affairs has *further developed the* disaster response system, *established by the Office of the United Nations Disaster Relief Coordinator and the former Department of Humanitarian Affairs,* which operates 24 hours a day, seven days a week and provides round-the-clock readiness for disasters. It monitors field situations in order to identify natural disasters, environmental emergencies and industrial accidents, in close collaboration with the United Nations resident coordinators. *The Disaster Response Branch of the Office for the Coordination of Humanitarian Affairs keeps a stock of emergency relief supplies in the warehouse at Pisa, Italy, and organizes shipments of relief items to disaster-affected areas.*

38. *The disaster response system comprises four main activities: issuance of situation reports, including appeals for international assistance and information on international response; dispatch of United Nations disaster assessment and coordination teams to the disaster-affected country; facilitation of the use of military and civil defence assets in humanitarian assistance; and provision of emergency grants and channelling of cash contributions by donors for relief assistance.*

39. The Office for the Coordination of Humanitarian Assistance has also established the Central Emergency Revolving Fund under the authority of the Emergency Relief Coordinator to allow for an immediate response to an emergency. The Fund may be used at the very outset of an emergency and, in exceptional cases, during the latter phases to help humanitarian agencies with cash-flow problems before donor contributions become available. Regulations require that agencies borrowing from the Fund reimburse the amount loaned within a specific period, which is not to exceed one year. Since 1992, a total of US$ 127.7 million has been disbursed from the Fund, with 80 per cent of it disbursed to UNICEF, UNHCR and WFP.

VI. Conclusions

40. The inspection by the Office of Internal Oversight Services has confirmed that the streamlining and reorganization within the Office for the Coordination of Humanitarian Affairs have enhanced the capabilities of that Office to respond to emerging humanitarian crises. The Office for the Coordination of Humanitarian Affairs has indeed strengthened its coordination and cooperation efforts with United Nations Secretariat departments and United Nations funds and programmes, other humanitarian agencies and non-governmental organizations, and established a meaningful and open dialogue with the humanitarian community and with donors. The meetings convened systematically by the Emergency Relief Coordinator played an important role in that respect. The Office of Internal Oversight Services noted that all persons interviewed considered that the appointment of the Emergency Relief Coordinator in January 1998 had greatly improved the effectiveness of the operations of the Office for the Coordination of Humanitarian Affairs.

41. The Office of Internal Oversight Services found that, following its reform, the priorities of the Office for the Coordination of Humanitarian Affairs had become responsibly well-ordered, and procedures for the support of field coordination had been streamlined. Equally important, the problems of duplication of responsibilities, competition and disagreements over areas of operations that had beset the humanitarian community in the past, had been significantly reduced. Inter-agency tensions had abated, with the Office for the Coordination of Humanitarian Affairs stepping back and acknowledging its non-operational role, displaying sensitivity to the specific areas of operation of other agencies. The United Nations funds and programmes confirmed that the Office for the Coordination of Humanitarian Affairs was actually facilitating coordination in the field. These are all crucial factors required for the success of humanitarian operations.

42. The inspection also confirmed that the working of the Inter-Agency Standing Committee has improved; specific issues are being addressed, and decisions taken. Through continuous informal consultations with members of the

Standing Committee, the Emergency Relief Coordinator is able to provide effective leadership in addressing evolving humanitarian problems. The merging of the secretariats for the Executive Committee on Humanitarian Affairs and the Inter-Agency Standing Committee within the Office for the Coordination of Humanitarian Affairs has alleviated concerns regarding overlap in mandates and duplication between those mechanisms. Nevertheless, additional efforts are required to enforce a more action-oriented approach in addressing issues in the Executive Committee.

43. Although the consolidated inter-agency appeal process has been strengthened, it is the view of the Office of Internal Oversight Services that there still is an obvious need for a strategic management framework to further enhance the process. Such a framework should involve shared political goals, a real sense of priority-setting among the participating agencies, and increased transparency with regard to the status of trust funds.

VII. Recommendations

44. The Office for the Coordination of Humanitarian Affairs should strengthen its advocacy role with the general public, for example, with regard to the security of humanitarian personnel (SP-99-001-1)*** (see para. 8 above).

45. The Office of the Coordination of Humanitarian Affairs should pursue the necessary action in respect of meeting the need for new institutional arrangements in the elaboration and implementation of sanctions regimes with regard to the efforts of the United Nations to minimize the humanitarian impact of sanctions (SP-99-001-2)*** (see para. 12 above).

46. The Office for the Coordination of Humanitarian Affairs should enhance the functioning of the Executive Committee on Humanitarian Affairs in particular by complementing information sharing with more pronounced action-oriented decision-making, and by focusing its agenda (SP-99-001-3)*** (see para. 21 above).

47. The Office for the Coordination of Humanitarian Affairs should take appropriate action to comply with the recommendations of the Office of Internal Oversight Services regarding improvements to the consolidated appeals process (SP-99-001-4)*** (see paras. 29,30 and 43 above).

48. The Office for the Coordination of Humanitarian Affairs should address the concern expressed about the perceived over-reliance on UNDP, and ensure that there are no substantive grounds for it (SP-99-001-5)*** (see para. 35 above).

(Signed) Karl Th. **Paschke**
Under-Secretary-General for
Internal Oversight Services

Notes

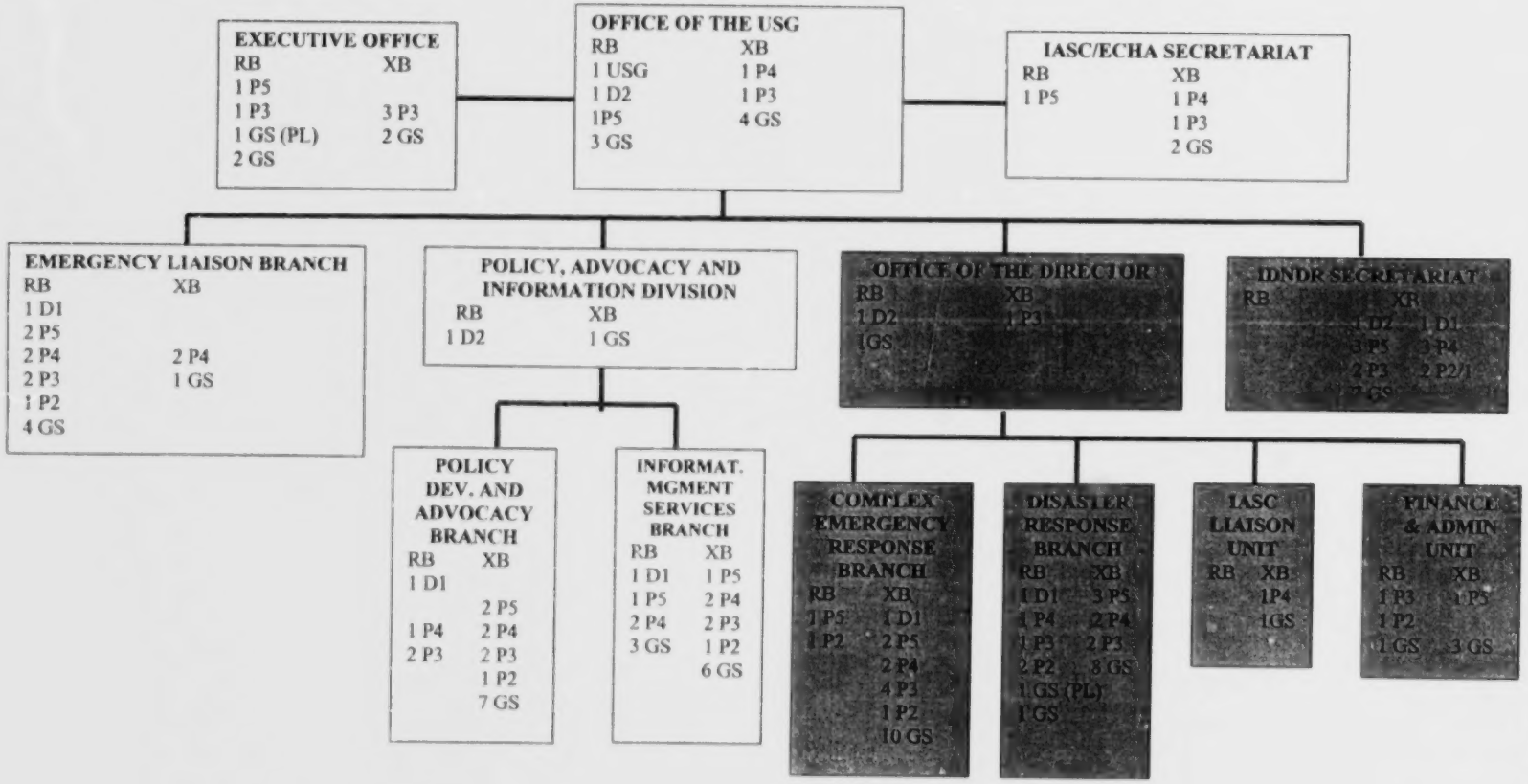
[1] *Official Records of the General Assembly, Fifty-third Session, Supplement No. 1* (A/53/1), para. 62.

[2] See ibid., *Supplement No. 3 and corrigendum and addendum* (A/53/3 and Corr.1 and Add.1), chap. VII.

*** An internal code used by the Office of Internal Oversight Services.

Annex

Organigramme of the Office for the Coordination of Humanitarian Affairs, 1998-1999*



* All posts are approved core posts for the Office. Grey blocks represent the Office at Geneva.

Abbreviations: ECHA (Executive Committee on Humanitarian Affairs), IASC (Inter-Agency Standing Committee), IDNDR (International Decade for Natural Disaster Reduction), PL (Principal level), RB (regular budgetary resources), XB (extrabudgetary resources).

United Nations A/54/334/Add.1

General Assembly

Distr.: General
30 September 1999

Original: English

Fifty-fourth session
Agenda items 118, 123 and 127

Review of the efficiency of the administrative and financial functioning of the United Nations

Joint Inspection Unit

Report of the Secretary-General on the activities of the Office of Internal Oversight Services

Review of the Office for the Coordination of Humanitarian Affairs

Note by the Secretary-General

Addendum

The Secretary-General has the honour to transmit to the General Assembly the comments of the Joint Inspection Unit on the report of the Office of Internal Oversight Services on the review of the Office for the Coordination of Humanitarian Affairs (A/54/334).

99-28441 (E) 181099

Comments of the Joint Inspection Unit on the report of the Office of Internal Oversight Services on the review of the Office for the Coordination of Humanitarian Affairs (A/54/334)

1. Involvement in the area of humanitarian affairs, especially the search for an effective way to respond to humanitarian crises, has been one of the priority issues for the United Nations, as reflected in the programme for reform of the Organization (A/51/950 and Add.1-7). The review by the Office of Internal Oversight Services of the new structure set up in place of the previous Department of Humanitarian Affairs is therefore timely and well taken.

2. The report offers a description of mechanisms and a detailed analysis of efforts to improve efficiency and coordination. The Joint Inspection Unit concurs with the thrust of the report and avails itself of this opportunity to contribute to the subject.

3. It may be recalled that the Joint Inspection Unit examined the situation with regard to humanitarian assistance when the Department of Humanitarian Affairs was in operation. In particular, reference is made to the report of the Joint Inspection Unit entitled "Investigation of the relationship between humanitarian assistance and peacekeeping operations" (A/50/572). Although in that report the Unit dealt with one specific aspect of the humanitarian intervention, its conclusions touch upon general issues in complex emergencies, especially as regards matters of coordination in the field. In the opinion of the Unit, some of the recommendations contained in its report are still valid and in fact certain aspects of its recommendations appear to have guided the replacement of the Department by the Office for the Coordination of Humanitarian Affairs.

4. The Office of Internal Oversight Services has acknowledged the non-operational role of the Office for the Coordination of Humanitarian Affairs and its predominant role of coordination among the various actors in humanitarian emergencies. This is an important point that needs to be clearly stated to avoid confusion and misunderstanding. For this reason, the review of the Office of Internal Oversight Services should have placed more emphasis on the non-operational nature of the role of the Office for the Coordination of Humanitarian Affairs, at the beginning of the report rather than at the end.

5. The Joint Inspection Unit agrees that the Office for the Coordination of Humanitarian Affairs has a need for access to the Security Council, a need that was envisaged in the above-mentioned report of the Unit.

6. The Joint Inspection Unit considers that the very detailed description of the diversified activities of the Office for the Coordination of Humanitarian Affairs could justify more substance in the concluding recommendation, which should be more action-oriented. The Unit supports, however, the recommendations in section VII of the report. In particular, it notes the relationship between the Office for the Coordination of Humanitarian Affairs and the United Nations Development Programme (UNDP) indicating that the non-operational role of the former needs to be coupled with the operational role of the latter. In the above-mentioned report, the Unit suggested that coordination in the field among the humanitarian actors be, by preference, assigned to the Resident Coordinator, with implicit recognition of the link between the Office for the Coordination of Humanitarian Affairs and UNDP.

7. The Joint Inspection Unit recommends the following:

(a) The issue of coordination should be better analysed in the case of complex emergencies where a military component is present on the ground. A chain of command

seems to be needed to avoid conflict among the various actors, as was the case on previous occasions (see *inter alia* recommendation 7 of the Unit in its report entitled "Investigation of the relationship between humanitarian assistance and peacekeeping operations" (A/50/572);

(b) More attention should be devoted to lessons learned. Each case of humanitarian intervention has its specificity, but past experiences, whether successes or failures, may offer valuable contributions. For that reason, in the above-mentioned report, the Unit recommended to the then Department of Humanitarian Affairs that lessons learned from each operation be documented and kept in a central data bank for reference by the United Nations entities active in humanitarian operations;

(c) The human rights component in complex emergencies should receive the attention it deserves. Efforts made to improve coordination should not overlook that aspect and should recognize the role of the human rights presence as appropriate;

(d) The concern expressed about the decreasing funds collected through the consolidated appeals process should be examined in parallel with the reasons for the increasing preference of donors for bilateral interventions. The percentage of absorption of resources by the United Nations mechanism in the distribution of donations could be carefully assessed;

(e) The guidelines contained in the annex to General Assembly resolution 46/182 of 19 December 1991 are supposed to apply to the Office for the Coordination of Humanitarian Affairs. The Joint Inspection Unit would suggest the issuance of a Secretary-General's bulletin similar to that suggested for the Department of Humanitarian Affairs. Such a bulletin would be a useful contribution to defining the functions of the Office for the Coordination of Humanitarian Affairs.

United Nations A/54/335

General Assembly

Distr.: General
9 September 1999

Original: English

Fifty-fourth session
Items 128 and 152 of the provisional agenda*

Report of the Secretary-General on the activities of the Office of Internal Oversight Services

Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Report of the Office of Internal Oversight Services on the audit of the management of service and ration contracts in peacekeeping missions

Note by the Secretary-General

1. Pursuant to General Assembly resolution 48/218 B of 29 July 1994, the Secretary-General has the honour to transmit, for the attention of the General Assembly, the attached report, conveyed to him by the Under-Secretary-General for Internal Oversight Services, on the audit of the management of service and ration contracts in peacekeeping missions.

2. The Secretary-General takes note of its findings and concurs with its recommendations.

* A/54/150.

99-26138 (E) 141099

Summary of major findings

In 1998, the Office of Internal Oversight Services (OIOS) performed an audit of service and ration contract management (assignment No. AP98/25/1) at five peacekeeping missions comprising contracts with an annual contract value of $37 million. The objectives were: (a) to ascertain the role of the missions, the Department of Peacekeeping Operations and the Procurement Division in the management of contracts; (b) to assess the effectiveness of service and ration contract management in missions; and (c) to determine what steps could be taken to improve the contract management process.

There has been a general trend in peacekeeping operations to move towards large-scale contracts for the provision of support services and rations. This form of outsourcing was seen as an economical and efficient way of providing support to missions. The OIOS review of six service contracts in five missions found, however, that the contract management needed to be improved. The review of those contracts found that:

- Most of the missions reviewed did not have a contract management unit, which had resulted in an uncoordinated approach to managing complex contracts;
- Standard systems had not been developed to enable missions to track ration deliveries in accordance with contractual provisions;
- No comprehensive training programmes had been established by DPKO to train personnel in contract management techniques;
- Inadequate monitoring of invoice payments could result in loss of early payment discounts and disputes with vendors leading to arbitration. In one case, an amount of $3.25 million owed to one contractor had been unjustifiably withheld;
- Out of 30 requests for proposals sent out for the provision of support services to the United Nations Observer Mission in Angola (MONUA), only one vendor had submitted a proposal;
- In one mission, indecision on contract arrangements had led to delays in awarding a contract and resulted in additional costs of $7.7 million;
- The basis for adjusting fees for the performance-based service contract in MONUA had not been established, resulting in disputes with the contractor;
- The MONUA service contractor had not provided a performance guarantee of $1.6 million, as required by the contract.

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I. Introduction

1. Contractual services, including provision of logistic and general services and rations, constitute one of the major costs of peacekeeping operations. The OIOS review of six service and ration contracts in five missions found that there were a number of areas where improvements in contract management would result in maximizing the effectiveness of those contracts.

2. Although missions are primarily responsible for contract management, other players are also involved, including the Procurement Division (PD), which is responsible for the commercial aspects of contracts, the Office of Legal Affairs (OLA), which reviews contracts and offers advice when requested, and the Department of Peacekeeping Operations (DPKO), which provides support to missions and maintains liaison on contractual matters with PD. The success of the mission in managing large-scale contracts therefore depends, to a great extent, on the coordination between these parties.

3. The objectives of the audit were: (a) to assess the effectiveness of service and ration contract management in missions; (b) to ascertain the role of missions, DPKO and PD in the management of contracts; and (c) to determine what steps could be taken to improve the contract management process. The audit included a review of six service and ration contracts in the United Nations Observer Mission in Angola (MONUA), the United Nations Mission in Haiti (UNMIH), the United Nations Interim Force in Lebanon (UNIFIL), the United Nations Disengagement Observer Force (UNDOF) and the United Nations Peacekeeping Force in Cyprus (UNFICYP).

4. The audit included a review of the following contracts with current annual costs of $37 million:

	MONUA	*UNMIH*	*UNIFIL UNDOF UNFICYP*
Contractor	DynCorp Aerospace Operations, Inc.	1. Brown and Root Services Corporation 2. Serv-Air	Fra-zer Operations N.V.
Service provided	Logistics and general services	Logistics and general services	Dry, frozen and canned rations
Contract type	Cost plus fee (fee adjusted based on performance)	Cost plus fee	Fixed cost
Current amount/ period	$16,192,394/ 12 months	Brown and Root: $6,082,604/ 12 months Serv-Air: $6,921,370/ 12 months	UNIFIL: $4,983,345/ 12 months UNDOF: $1,273,014/ 12 months UNFICYP: $1,507,750/ 12 months

5. A draft of the report was made available to DPKO and PD for their review. Their comments have been taken into account and are identified by the use of italics.

II. Pre-contract award phase

6. The pre-contract award phase is crucial to the contract management process. OIOS is of the view that the process can be improved by ensuring that:

- Procurement action is done on a timely basis based on a comprehensive statement of works;
- Contractors are fully briefed on contract requirements;
- Contractors' proposals are promptly evaluated and assessed;
- Contract terms and conditions are precise and unambiguous.

A. Excessive time is required for the procurement process

7. The audit disclosed that the time required for the procurement process was generally excessive and resulted in costly interim arrangements. In the case of UNMIH, the mission had to rely on the provision of services by extending a letter of assist with a Member State. Had a service contract

been established on a timely basis, this would have resulted in savings of approximately $7.7 million. The following table sets out the time taken to complete the procurement process with respect to the two service contracts:

Major steps	*Service contract with Brown and Root*	*Service contract with Serv-Air*
Requirements submitted to PD	7 January 1995	7 January 1995
Request for proposal issued by PD	7 February 1995	7 February 1995
Mission visit by interested contractors	1 March 1995	1 March 1995
Contract signed by PD	9 August 1995	7 August 1995
Days from submission of requirements to contract signing	244 days	242 days

8. *The Department of Management, in their reply to the draft report, stated that they continued to have concerns on the above table; in particular there were several intervening events, including four meetings of the Headquarters Committee on Contracts. In their view, expeditious and continuous procurement action had been taken, considering that issues of principle and cost were involved in this case. In the end this had resulted in substantial cost reductions.* OIOS believes that the timely identification of requirements would have enabled procurement action to commence at an earlier stage, thus eliminating or reducing the need for costly interim arrangements.

9. An audit of ration contracts in UNIFIL and UNDOF also found that there were delays in selecting a contractor, which resulted in the uneconomical extension of the current contract. PD informed OIOS that the documentation provided by DPKO did not enable it to commence the bidding exercise on a timely basis. OIOS believes that additional effort is required to reduce the procurement time-frame.

10. Formulating the statement of requirements for ration contracts is a complex matter, which has to take into account such diverse factors as quality standards, packaging sizes, labelling language, expiry dates and the taste requirements of contingent personnel of various nationalities. Establishing clear specifications is, therefore, a key factor for successful contract management. However, in the case of the UNIFIL and UNDOF ration contracts, the specifications were unclear, resulting in numerous rejections of deliveries. The difficulty encountered by the missions was corroborated by an analysis of the specifications by the Canadian National Defence Headquarters, which concluded: "If we had to give these specifications you asked us to review a grade, it would be D. Much further work is required to make an A."

11. *DPKO indicated that it was undertaking a complete overhaul of the ration specifications. Testing of the revised specifications commenced in the new bidding exercise for UNIFIL, UNDOF and UNFICYP conducted in late 1998, with an evaluation to be performed at a later stage.*

B. Contractors need to be fully briefed on contract requirements

12. In MONUA, the contractor had not attended the site visit, which would have provided a first-hand idea of the work to be performed and of local conditions. Furthermore, the former contractor had provided the new contractor with incorrect information on labour costs, resulting in the need to renegotiate the contract at a higher cost owing, in part, to labour disputes.

13. The audit also found that contractors had expressed little interest in bidding for the service contract with MONUA. Although 30 requests for proposals had been sent out, only 4 contractors had attended the site visit and none of the contractors had made a formal proposal. A rebidding exercise was not considered feasible owing to the exigency of the requirements. In the end, it became necessary to obtain services from a contractor who was not fully aware of the field conditions and relied on second-hand information. In the opinion of OIOS, there may be underlying reasons for the lack of interest in bidding on a major contract valued at approximately $19 million per year. In its response to the audit report, PD indicated that it had surveyed contractors to determine the reasons for the lack of response. Only six contractors provided explanations:

- One contractor believed that the outcome was predetermined;
- The incumbent contractor was not interested because of the changed requirements;
- One contractor believed the requirements were not feasible;
- Two contractors believed the requirements did not fit their companies' capabilities;
- One contractor did not provide the required goods and services.

C. Contractors' proposals need to be promptly evaluated and assessed

14. Another key factor in determining the success of contract management is evaluating the contractors' proposals to determine if they meet specified requirements. OIOS is of the opinion that the evaluation process could be improved by:

- Verifying the quality of the rations offered by the contractor and the suitability of the contractors' major suppliers;
- Inspecting facilities that may affect the contractors' ability to implement the contract;
- Assessing the validity of offers that are substantially lower than others.

15. In the case of ration contracts, in particular when a new contractor is being considered, the products offered should be examined and tested, if necessary, by having the contractors provide samples and information on suppliers. It may also be necessary to visit the contractors' facilities or those of the contractors' suppliers to assess their adequacy. In the case of the ration contracts with UNIFIL, UNDOF and UNFICYP, the goods supplied had not been examined. The end result was widespread dissatisfaction with the rations provided to UNIFIL and UNDOF, which were stated to be of inferior quality and did not satisfy the taste requirements of mission personnel. This complicated the management of the contract and resulted in an inordinate amount of time being spent by UNIFIL, DPKO and PD in resolving the issue.

16. Financial rule 110.21 states that "contracts shall be awarded to the *lowest acceptable* [emphasis added] bidder". In two of the cases examined, the successful contractors had made cost proposals that were substantially lower than the others received. In the contract for the provision of support services to MONUA, DPKO calculated that the sole offer received was 20 per cent less than the cost of the contract it was replacing. Since the new contract was broader in scope than the previous contract, that aspect should have been specifically raised in the preliminary discussions with the contractor and clarifications obtained. In the contract for the provision of rations to UNIFIL, the contract man-day rate was 39 per cent less than the previous contract and significantly lower than other offers received. However, there was no documentation indicating that an attempt had been made to determine how the contractor was able to provide such pricing.

17. Not scrutinizing low-cost proposals may lead to future problems, as was the case with both the contracts mentioned above. Resolving such problems after the contracts had been awarded was costly, since the contract then required extensive corrective action and renegotiation. In such cases, there is also a risk that disputes will lead to arbitration and further costs to the Organization. *In their preliminary reply, the Procurement Division indicated that it would, on a case-by-case basis, assess cost proposals in comparison with the previous performance and problems of the contractors who offered low prices within contracts of similar nature.*

D. Contract terms and conditions need to be precise and unambiguous

18. Effective contract management requires that contract terms and conditions be as clear and precise as possible. The MONUA contract, which was intended to be a performance-based contract, illustrates the importance of that principle. While it was apparent that there was a performance element built into the contract, the basis and criteria for it had not been adequately established. The intention was that the fee would be adjusted based on the contractor's performance, but this concept was stated vaguely in the contract. A scale of fee adjustments was subsequently proposed by DPKO, but this was not accepted by the contractor, who maintained that the contract did not make provision for such adjustments. Since the contractor had already commenced work with a staff of over 1,100 personnel, the mission was only able to negotiate for adjustments to the provision. *DPKO agreed that in the future they would include fee adjustment formulas when requesting proposals.*

19. The contractor also had not provided a performance guarantee equal to 10 per cent of the value of the contract ($1,619,000) as specified in the contract. This would have exposed the Organization to unnecessary financial risk had the contractor failed to fulfil its obligations under the contract. A possible solution would be for MONUA to withhold an appropriate amount from the invoices to compensate for the failure of the contractor to provide the performance guarantee. *Both PD and DPKO stated that they had not been able to obtain the performance guarantee from the contractor.*

III. Receiving and inspection procedures for ration contracts

A. A system is required to record ration deliveries

20. The OIOS review of receiving and inspection procedures for rations at UNIFIL and UNDOF indicated that there was scope for improving contract management by implementing a system to record, *inter alia*: (a) commodities ordered and received; (b) short deliveries; (c) deliveries that did not meet specifications; and (d) the reasons for rejections. The existing receiving system, while adequate for general supplies, did not provide sufficient information to manage ration contracts properly. Moreover, such a system would enable the missions to meet contractual terms and conditions by recording the dates of vendor notification and any purchases made to replace undelivered or rejected goods that could not be replaced by the vendor in accordance with the time-frames indicated in the contract.

B. Inspection procedures require improvement

21. The audit of UNDOF found that the inspection procedures for ration deliveries were inadequate to determine their quality and conformance with contract specifications. This was due mainly to:

- Inspection personnel not having access to the contract's specifications (this was later remedied);
- Inspections being made by military personnel who had not been adequately trained and who rotated every six months;
- Inadequate supervision by the Receiving and Inspection Unit, which did not have a representative at the inspection site.

Thus, the mission had no assurance that the products received complied with the contractual specifications.

22. *DPKO indicated that new ration specifications being developed would be linked to the receiving and inspection procedures. However, they pointed out that it was initially more important to implement the revised specifications fully. The receiving and inspection system would form the second phase of the project.* While OIOS agrees with this priority, it believes that DPKO should establish a plan indicating time-frames for the development and implementation of both the ration specifications and the receiving and inspection system.

IV. Management of invoice payments

A. Invoices need to be processed efficiently and adequate internal controls established

23. A review of the processing of direct labour cost invoices for the service contract in MONUA found that this was a time-consuming process involving the review of 4,000-6,000 pages of data by the mission's Contract Management Section. A 100 per cent review of invoice-supporting documentation, therefore, significantly increases the cost of processing the invoices. OIOS believes that it would be feasible to review the invoices on a test basis using statistical sampling techniques that would provide the required degree of accuracy. Depending on the discrepancies found during the test checks, the Contract Management Section could then decide whether to increase the sample size. Such procedures could be established whenever complex invoices, with a large number of supporting documents, are processed in order to reduce costs without increasing the risk of making overpayments.

24. The audits of UNIFIL and UNDOF found a lack of segregation of duties in the payment of invoices. Invoice verification was being done by the Procurement Section and not the requisitioning unit. Furthermore, the delay in payment of invoices was due in part to the fact that they were being processed by the Procurement Section, which did not adequately control the timeliness of invoice payments. Control over invoice payments could be improved if the Finance Section received and recorded the invoices and then sent them to the requisitioning unit for verification.

25. *DPKO forwarded OIOS's observations to UNIFIL, UNDOF and UNFICYP.*

B. Invoices need to be paid in accordance with contract terms

26. The MONUA service contract provides for a prompt payment discount of 1.3 per cent if the invoice is paid within 7 days of receipt and 1 per cent if paid within 10 days. While the period allowed to process the invoices is very short, MONUA should make every effort to take advantage of these discounts. This would result in an annual saving of approximately $210,000. MONUA is currently making

advance payments on receipt of the invoice, which enables it to obtain the major part of the discount. In future contracts of this nature, more realistic prompt payment discount terms should be negotiated to enable missions to take full advantage of them.

27. *PD informed OIOS that appropriate payment discount terms would be taken into account in bidding for future service and ration contracts.*

28. OIOS also found deficiencies in the timeliness of payments. In the case of the ration contracts at UNIFIL, UNDOF and UNFICYP, the audit indicated that, on 12 February 1998, the missions owed approximately $3.25 million (UNIFIL $2 million, UNDOF $250,000 and UNFICYP $1 million) to the same ration contractor for outstanding invoices, which in some cases dated back to June 1997. DPKO should advise missions of the importance of adhering to payment terms.

29. A review of invoices submitted by the service contractor revealed that claims totalling $775,000 had been rejected by MONUA. In the opinion of OIOS, MONUA should promptly resolve the issue that resulted in the rejection of the invoices.

30. The review also found that invoices were not always accurately prepared and that contract amendment procedures could be improved. MONUA management has taken action to follow up on the errors, which included: (a) double invoicing; (b) calculation errors; (c) overpayment and underpayment of personnel allowances; (d) unauthorized payments; (e) inadequate documentation; and (f) deficiencies in contract amendments.

V. Monitoring and evaluation of contractor performance

A. Need to establish a methodology to assess contractor performance

31. In most of the contracts reviewed, the performance evaluation process was not sufficient to determine whether the contractor had satisfactorily completed its obligations under the contract. For example, the resident auditor at UNMIH found that procedures for the management and review of contracts had not been established. Furthermore, the review of the ration contracts in UNIFIL and UNDOF indicated a lack of adequate procedures to document the contractor's performance.

32. An OIOS report to the DPKO Field Administration and Logistics Division (A/49/959) asserted that:

> "These [contracts] have highlighted the need to develop a capability to monitor and assess certain aspects of the performance of large-scale contracts, including review and analysis of progress reports. In response to this requirement, the team was brought to understand that the Division had drafted a plan of action for instituting the capacity to manage commercial contract-providing services to peacekeeping operations."

The current audit indicated that that requirement still existed, but that appropriate guidelines in the form of standard operating procedures had not been established by DPKO.

B. A contract management capacity needs to be established in missions

33. It is recognized that managing complex multi-million-dollar service contracts is a difficult and time-consuming task. However, OIOS found that, of the missions reviewed, only MONUA had established appropriate organizational arrangements to manage contracts. In view of the weaknesses in the management of the contracts examined, OIOS believes that it would have been appropriate to establish contract management sections at all of these missions. In UNMIH, for example, instead of contract management being a part of the civilian component, this function was provided by a military contingent's personnel. This was not an effective arrangement since there was little incentive for these personnel, who rotated every three months, to take initiatives in the management process. The tasks of a contract management unit should include:

- Conducting assessments of the contractors' performance in accordance with standard operating procedures;
- Monitoring the payment of invoices and deduction of discounts;
- Resolving disputes with contractors or referring them to Headquarters;
- Coordinating contractors' requirements with relevant mission sections;
- Ensuring that the mission adheres to its contractual responsibilities;
- Assessing future contract requirements and identifying alternative arrangements.

34. In view of the above, OIOS is of the opinion that DPKO needs to establish contract management units in future missions where complex service and ration contracts are used.

VI. Training programmes for contract management staff

35. In the view of OIOS, personnel who are responsible for receiving, inspecting and monitoring ration contracts should receive adequate training to enable them to perform their functions effectively. OIOS found that DPKO had initiated a training programme concerning the new food ration specifications at UNIFIL for the missions in the region. While this was a step in the right direction, OIOS believes that such training should be extended to other missions where ration contracts are used.

36. Training is also necessary for personnel managing service contracts. Recently, DPKO arranged a contract management course with the United States Naval Centre for Acquisition Training to provide MONUA personnel with skills in performance contracting and quality assurance. While this should prove valuable in preparing MONUA personnel to manage contracts adequately, a more coordinated approach to contract management training is needed and should be a basic requirement for contract personnel at all missions. DPKO should, therefore, review their training requirements and establish a programme to upgrade the knowledge of contract management personnel.

VII. Recommendations

37. As a result of the audit of service and ration contract management, OIOS made the following recommendations:

Recommendation 1

DPKO, in consultation with PD, should review the time-frames required for the procurement of service and ration contracts and take appropriate steps to shorten the time involved (AP99/78/9/01).

Recommendation 2

DPKO should complete the project for development of clear contract specifications for all categories of rations (AP99/78/9/02).

Recommendation 3

DPKO should develop standard operating procedures for managing service and ration contracts that should include appropriate guidelines for evaluating performance of contractors (AP99/78/9/03).

Recommendation 4

DPKO should consider establishing a contract management function within new missions with service and ration contracts (AP99/78/9/04).

Recommendation 5

DPKO should formulate a plan, with implementation time-frames, for developing a ration management receiving and inspection system and should adequately test the system before it is universally implemented (AP99/78/9/05).

Recommendation 6

DPKO should assess training requirements of mission contract management personnel and develop a programme to enable them to manage complex service and ration contracts successfully (AP99/78/9/06).

Recommendation 7

The Procurement Division should establish procedures to review cost proposals that are significantly lower than others in order to determine their reasonableness and validity (AP99/78/9/07).

Recommendation 8

The Procurement Division should negotiate appropriate prompt payment discount terms in future service and ration contracts that missions can be reasonably expected to meet (AP99/78/9/08).

38. *In its response to the draft report DPKO stated: "We have also taken note of the recommendations made in the draft report and agree that their implementation may help improve the procurement process in peacekeeping missions. However, the recent surge in peacekeeping activities is overstretching the resources of FALD to such an extent that we are barely able to address the immediate operational problems of the missions. Therefore, we expect to take up the development work required to create the systems and procedures recommended by the auditors as and when sufficient resources are available."* OIOS agrees with FALD that it is essential that adequate resources be available to implement the long overdue procedures recommended in the present report to improve the management of service and ration contracts. DPKO should, therefore, take the necessary action to request additional funds to enable it to develop the procedures on a timely basis.

(*Signed*) Karl Th. **Paschke**
Under-Secretary-General for
Internal Oversight Services

United Nations A/54/336

General Assembly

Distr.: General
9 September 1999

Original: English

Fifty-fourth session
Item 117 (b) of the provisional agenda*
Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

National institutions for the promotion and protection of human rights

Report of the Secretary-General

I. Introduction

1. The present report has been prepared pursuant to paragraph 16 of General Assembly resolution 52/128 of 12 December 1997, entitled "National institutions for the promotion and protection of human rights", in which the Assembly requested the Secretary-General to report to it at its fifty-fourth session on the implementation of the resolution.

2. In resolution 52/128, the General Assembly welcomed the growing interest shown by Member States of different regions in the establishment and strengthening of effective, independent and pluralistic national institutions for the protection and promotion of human rights, as encouraged by the Vienna Declaration and Programme of Action and in accordance with the principles relating to the status of national institutions adopted by the Assembly in its resolution 48/134 of 20 December 1993.

3. The General Assembly urged the Secretary-General to continue to give high priority to requests from Member States for assistance in the establishment and strengthening of national human rights institutions as part of the programme of advisory services and technical assistance in the field of human rights, and encouraged the United Nations High Commissioner for Human Rights to further extend activities in support of national human rights institutions, including the holding of regional meetings of national institutions and international meetings of the Coordinating Committee created by national institutions, to promote the exchange of information and experience concerning the establishment and effective operation of such institutions.

4. The present report contains information on the various activities undertaken by the Office of the United Nations High Commissioner for Human Rights to establish and strengthen national institutions and on the measures taken by Governments and national human rights institutions themselves in these areas, as well as the work of the treaty monitoring bodies and the special mechanisms of the Commission on Human Rights to undertake further consultations with established national human rights institutions.

5. The report covers activities for the period from 15 October 1997, the date of the report on national institutions for the promotion and protection of human rights to the fifty-second session of the General Assembly,[1] to 15 August 1999. This report complements the annual reports presented

* A/54/150

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to the Commission on Human Rights during this period pursuant to Commission resolutions 1997/34 of 11 April 1997[2] and 1998/55 of 17 April 1998.[3] More information on assistance to national human rights institutions can be found in the reports of the Office of the United Nations High Commissioner for Human Rights on the programme of advisory services and technical assistance in the field of human rights, on activities of the Voluntary Fund for Technical Assistance in the Field of Human Rights and on the activities of the United Nations High Commissioner for Human Rights.

II. The work of the Office of the United Nations High Commissioner for Human Rights and consultations between national human rights institutions and the treaty monitoring bodies and protection mechanisms established by the Commission on Human Rights

6. The United Nations High Commissioner for Human Rights attaches great importance to the role that national institutions play in translating international human rights norms into laws, policies and practices that ensure respect for human rights at the local level. The establishment and strengthening of national institutions is one of the key strategic aims of OHCHR and a major component of its programme of advisory services and technical assistance in the field of human rights. During missions to countries where national human rights institutions have been established, the High Commissioner has had consultations with their members and senior staff.

7. The activities of the Office of the High Commissioner in support of national institutions are provided with the support of the Special Adviser on National Institutions and cover the provision of practical advice and assistance to those involved in the establishment of new national institutions. This includes advice to Governments on suitable models, from a comparative perspective, for establishing an appropriate constitutional or legislative framework for any new national institution and on the nature, functions, powers and responsibilities of such institutions. It also includes support to new and/or established national human rights institutions for developing handling systems and databases for complaints, design of effective management structures, implementation of human rights education and training programmes, provision of human rights information and documentation and facilitation of international and regional meetings of national institutions to encourage the sharing of experience and development of best practices.

8. The work of the Office of the High Commissioner in the area of national institutions is guided by the Paris Principles, adopted by the Commission on Human Rights in 1992, but the High Commissioner has also agreed to programmes designed to strengthen and support a number of institutions, already in existence, which do not fully comply with these principles, but are willing to strengthen their independence and enhance their effectiveness in order to do so.

A. Advice for the establishment of national institutions.

9. During the last two years the Office of the High Commissioner provided information, advice or assistance, at their request, to the following Governments or entities in the process of establishing national human rights institutions or contemplating the establishment of such institutions: Armenia, Bangladesh, Burundi, Ecuador, Ethiopia, Fiji, Germany, Jordan, Kazakhstan, Kenya, Kyrgyzstan, Liberia, Malaysia, Mauritius, Mongolia, Nepal, Palestine, Papua New Guinea, Rwanda, Sierra Leone, the Republic of Korea, Thailand, Uzbekistan, and, most recently, Ireland and the United Kingdom of Great Britain and Northern Ireland.

10. The Office has also provided information, advice or material support to a number of recently established national human rights institutions, including: the Public Defender of Georgia, the Latvian Human Rights Office, the Human Rights Commission of Indonesia, the Human Rights Commission of Malawi, the Moldovan Human Rights Centre, the Nigerian Human Rights Commission, the Human Rights Commission of Rwanda, the South African Human Rights Commission, the Ugandan Human Rights Commission and the Zambian Human Rights Commission.

11. During the reporting period, the Special Adviser conducted several missions, including missions to represent the High Commissioner at high-level meetings, seminars and workshops, to provide advice or assistance to Governments, to conduct consultations with government officials, parliamentarians, established national institutions, non-governmental organizations and representatives from the academic sector, to lead technical cooperation needs assessments and project formulation missions, to attend steering committee meetings of technical cooperation

projects, to lead joint consultation missions with regional organizations, such as the Organization for Security and Cooperation in Europe (OSCE) and other United Nations agencies and programmes, to countries in the process of establishing national human rights institutions and to provide training to staff of national human rights institutions and to senior staff of other United Nations agencies and programmes. These included missions to Côte d'Ivoire, Ecuador, Ethiopia, Georgia, Germany, India, Indonesia, Kazakhstan, the Kyrgyzstan, Latvia, Malawi, Malaysia, Mexico, the Netherlands, the Republic of Moldova, Sierra Leone, Sri Lanka, Thailand, Uganda, Ukraine and the United Kingdom of Great Britain and Northern Ireland.

12. In addition, the Office of the High Commissioner responded to numerous requests from Governments and non-governmental organizations seeking general information concerning national human rights institutions. Existing national human rights institutions are included in the mailing list of the Office of the High Commissioner and receive periodic information on human rights meetings and the activities of the Office, updated lists of United Nations publications and publications of the Office of the High Commissioner produced as part of the United Nations Decade for Human Rights Education.

B. Technical assistance for the establishment and strengthening of national institutions, including through the field presence and the programme of advisory services and technical assistance in the field of human rights of the Office of the High Commissioner for Human Rights

13. Technical assistance for the establishment and strengthening of national institutions is financed through extrabudgetary resources contributed to the Voluntary Fund for Technical Cooperation in the Field of Human Rights. In countries where the Office has a field presence, advice and assistance is provided through the field offices.

14. To further strengthen the overall technical cooperation programme on national human rights institutions, the Office of the High Commissioner is currently expanding its roster of consultants and experts/practitioners on national human rights institutions, compiling legislation of national human rights institutions established in accordance with the Paris Principles, establishing a database on best practices of national human rights institutions' work on thematic issues, including on investigatory techniques, the protection and promotion of children's and women's rights, human rights policy design and implementation, national human rights plans of action, human rights education and training programmes. The Office is also preparing a training manual for national human rights institutions on economic, social and cultural rights.

15. During the reporting period, the Office was informed of several initiatives for the establishment of national institutions in the African region. In a number of cases these have received support, legal advice and assistance from the Office. Assistance to these newly established institutions to enable them to function effectively is a continuing challenge for the Office of the High Commissioner.

16. The Office of the High Commissioner currently has 11 field offices in the region (Angola, Burundi, Central African Republic, Democratic Republic of the Congo, Liberia, Malawi, Sierra Leone, South Africa, Togo and Uganda, as well as an office for the Southern African region) and several ongoing technical cooperation projects. Government requests for legal advice and/or assistance currently under consideration or in the process of formalization and which may include assistance to national institutions are: Angola, Cameroon, Kenya, Nigeria, Rwanda, Senegal, Sierra Leone and Togo.

17. The Office of the High Commissioner has an ongoing technical cooperation project with the Government of South Africa including the South African Human Rights Commission as a co-partner. As part of its human rights institutional strengthening project, one human rights officer is based with the South African Human Rights Commission to assist the Commission in carrying out its mandate. In particular, the human rights officer is working closely with the Commission in the reporting and monitoring of the Government's implementation of socio-economic rights and developing a national action plan for the promotion and protection of human rights. The steering committee that oversees the implementation of the project is chaired by the Chairman of the Human Rights Commission.

18. On 14 June 1999, the field office in Angola, which is part of the Human Rights Division of the United Nations Observer Mission in Angola (MONUA), organized, in cooperation with the Human Rights Department of the Ministry of Justice and the support of some donor countries, a pilot seminar on national human rights institutions for members of the Human Rights Commission of the Angolan National Assembly, aimed at familiarizing parliamentarians with the role and functions of such institutions. The Office of the High Commissioner is currently preparing a project

for a second seminar in the Province of Benguela, in October 1999.

19. The Special Representative of the Commission on Human Rights on the situation of human rights in Rwanda, Michel Moussalli, has been regularly consulting the Special Adviser concerning assistance to the newly established National Commission for Human Rights of Rwanda and to its recently appointed members. On 2 and 3 August 1999, a working visit to headquarters of the Office of the High Commissioner by the members of the National Commission was organized. This visit took place immediately after a four-week training course on human rights at the International Human Rights Institute in Strasbourg, France, attended by all the members of the National Commission. The visit was sponsored by the Office of the High Commissioner at the request of the members of the National Commission. At the time of preparation of the present report, the Special Representative is conducting a mission to Rwanda, during which technical assistance to the National Commission will be discussed. The assistance will include the organization of a workshop on the mandate, functions and role of national institutions, to which members of other national institutions will be invited to share practical experience.

20. The Office has recently initiated a joint technical cooperation project with the United Nations Development Programme (UNDP) in Uganda. It is expected that at the end of the two-year project, the Ugandan Human Rights Commission, will be a fully self-sustaining institution, functioning in conformity with its mandate and with broad support from all sectors of society. The Commission will develop and implement, with the assistance of the Office of the High Commissioner, a detailed programme of work, including for receiving and effectively addressing complaints of human rights violations, reviewing existing and draft legislation with a view to determining conformity with international and national human rights obligations and determining the need for domestic legislation to give effect to Uganda's international treaty obligations, assisting the Government in discharging its reporting obligations under international human rights treaties to which Uganda is a party, for providing human rights education and training to the general public as well as for specialised professional groups and for the establishment of an information and documentation centre. The Office is also currently discussing, along with the Joint United Nations Programme on HIV/AIDS, in cooperation with the Human Rights Commissions of Uganda and India.

21. OHCHR has been coordinating its efforts in Africa with the Organization of African Unity (OAU), including in the area of national institutions. The United Nations High Commissioner or one of her representatives has participated in several major meetings of OAU, including in the first African Ministerial Conference on Human Rights in Mauritius in 1999. In her statement to the Mauritius meeting, the High Commissioner emphasized the importance of national human rights institutions. More information can be found in the report of the Secretary- General on cooperation between the United Nations and OAU.

Activities and programmes of the Office of the High Commissioner for Human Rights in the Asia-Pacific region

22. For several years, the Office of the High Commissioner has been assisting in the establishment and strengthening of national human rights institutions in the Asia-Pacific region. Activities have included advice on legislation and other matters relating to the creation of new institutions as well as training and technical support to existing institutions. The Office of the High Commissioner works closely with the Asia-Pacific Forum of National Human Rights Institutions, which was established in 1996.

23. The Office of the High Commissioner currently has a field office in Gaza, field offices in four countries in the region (Afghanistan, Cambodia, Indonesia and Mongolia) and several technical cooperation projects, which include assistance to established national human rights institutions and for the establishment of such institutions. Various requests currently under consideration and/or in the process of formalization include assistance for the establishment or strengthening of national institutions in Fiji, Jordan, the Islamic Republic of Iran, Mongolia, Nepal, Papua New Guinea, Sri Lanka and Thailand.

24. Since 1997, the field office in Gaza has developed a close and constructive relationship with the Palestinian Independent Commission for Citizens' Rights. The overall programme of assistance of the Office of the High Commissioner in Palestine includes three components that are complementary in reinforcing elements of law, policy and institutional structure. While local non-governmental organizations and the Independent Commission have a role to play in all of these areas, the assistance of the Office to the Independent Commission centers on the programme component dedicated to the goal of establishing a Palestinian legal framework consistent with human rights standards. To date, the Office has provided assistance to the Palestinian Independent Commission by way of direct institutional strengthening, support for its field workers programme, law reform and other technical support for training and human

rights promotion activities. The law reform programme has supported the work of the Commission to comment on priority legislation that the programme covers, by promoting a consultative approach to law reform in Palestine. The field workers programme, which has posted three field workers in the West Bank and one in Gaza, has permitted the Independent Commission to raise awareness on human rights in each region of the country and to monitor violations and collect complaints and testimonies of alleged violations at the local level. The Office of the High Commissioner has also provided two grants to the Commission to support efforts to build up its collection of human rights documentation and legal materials.

25. A technical cooperation project established by the Office of the High Commissioner with the Government of Nepal, signed in 1996, is aimed at improving the protection of human rights by strengthening the system of administration of justice, building national capacity to deal with human rights issues, including support for the establishment of a national human rights commission. Comprehensive advice on a proposed Nepalese draft law establishing a national human rights commission has been provided.

26. As part of a first programme of technical assistance to Mongolia, a seminar on national human rights institutions was held in Ulaanbaatar in April 1996, in cooperation with the Parliamentary Subcommittee for Human Rights. As a follow-up to this seminar and within the framework of a second programme of the Office of the High Commissioner in 1997, a parliamentary task force to elaborate a draft law to create a national human rights commission was established and the draft was discussed during a national conference organized by the task force with the support of the field office of the Office of the High Commissioner in Mongolia. In order to allow for government representatives to obtain first-hand information on the work of human rights commissions in the Asia-Pacific region, the Office has facilitated the participation of government representatives in meetings of the Asia-Pacific Forum. The field office in Mongolia, as well as the Special Adviser, have continued discussions about the draft law on the national commission with members of the Parliament.

27. The field office of the Office of the High Commissioner in Indonesia is implementing a technical cooperation project aimed at providing assistance for the implementation of the national plan of action on human rights (1998-2003) in four main areas: (a) national capacity-strengthening in human rights reporting; (b) national educational programme; (c) raising human rights awareness through the dissemination of human rights information; and (d) strengthening of the Indonesian national Commission on Human Rights.

28. Several regional initiatives to support established national institutions have been implemented by the Office of the High Commissioner. These initiatives included a training programme on economic, social and cultural rights for representatives of national institutions in cooperation with the Human Rights Commission of the Philippines and the Canadian Human Rights Foundation; a project to develop a training programme on investigatory techniques for representatives of established institutions; and a workshop for national institutions and non-governmental organizations organized in cooperation with the Human Rights Commission of Sri Lanka and the Asia Pacific Forum of National Human Rights Institutions.

Activities and programmes of the Office of the United Nations High Commissioner for Human Rights in Europe, Central Asia and North America

29. The Office currently has five field offices in the region (Bosnia and Herzegovina, Croatia, Federal Republic of Yugoslavia, the former Yugoslav Republic of Macedonia, and Georgia) and several technical cooperation projects, including assistance to established national institutions in Georgia, Latvia and the Republic of Moldova. Requests for assistance currently under consideration and/or in the process of formalization, which may include assistance to national human rights institutions, include: Armenia, Belarus, the former Yugoslav Republic of Macedonia, Kazakhstan, Kyrgystan and Ukraine.

30. The Office of the High Commissioner has put considerable effort into a project with UNDP to support a national human rights institution in Latvia. This project is currently being evaluated. Although the institutional base and focus of the project has been the Latvian National Human Rights Office, capacity development activities have also been directed at strengthening the linkages between the Office and others involved in the promotion and protection of human rights in Latvia, including Parliament, government agencies and civil society.

31. The Moldovan Human Rights Centre was established by law at the end of 1997 as an independent national institution to protect and promote human rights. A joint project with UNDP is currently facilitating assistance to the institution and a number of training sessions and advice to process complaints has been provided.

32. The Office is providing advice to the Public Defender's Office of Georgia, as part of a UNDP three-year

project, entitled "Capacity-building of the public defender's office in Georgia", which aims at assisting this institution to operate as a functional, independent national institution with a mandate for the protection and promotion of human rights. The contribution of the Office of the High Commissioner is to provide expert advice at regular project steering committee meetings and to support the participation of United Nations and international experts in meetings where policy considerations and priorities for the development of the Public Defender's Office are determined.

Activities and programmes of the Office of the United Nations High Commissioner for Human Rights in Latin America and the Caribbean

33. The Office of the High Commissioner currently has three field offices in the region (Colombia, El Salvador and Guatemala) and several technical cooperation projects that include assistance to established national human rights institutions, such as those in Guatemala and Bolivia. Government requests for assistance currently under consideration or in the process of formalization and which may include assistance to the national human rights institutions include requests from Argentina, Colombia, Ecuador, El Salvador and Peru, as well as a request for a regional initiative for the Andean region.

34. Since its establishment in 1997, the field office in Colombia has been working closely with the Office of the People's Advocate of Colombia. During the reporting period, several joint visits to the field to investigate alleged human rights violations or monitor the plight of displaced persons were conducted. The Office of the High Commissioner has also been actively participating in a working group coordinated by the Office of the People's Advocate to investigate and prevent massacres, as well as to alert the public security authorities. During her visit to Colombia, in October 1998, the High Commissioner had high-level consultations with senior Colombian authorities, including with the People's Advocate, and in her annual report to the Commission on Human Rights in 1998, she urged the Government "to redouble its efforts to support publicly, with adequate resources and concrete action", the various national institutions, including the Office of the People's Advocate.[4] On 6 August 1999, the field office in Colombia signed an agreement of cooperation with the Office of the People's Advocate to assist the institution in the design of a system for the handling of complaints and an early-warning system for the prevention of massacres and displacements, as well as in carrying out a study on the public defence and assisting the institution in the elaboration of a human rights promotion programme.

35. The technical cooperation office of the Office of the High Commissioner in El Salvador has had several meetings with the Office of the Human Rights Counsel of El Salvador to discuss its possible inclusion as a beneficiary of the comprehensive technical assistance project currently under implementation. Staff of the Office of the Human Rights Counsel have participated in three training courses on reporting obligations to the treaty monitoring bodies and the Office of the Counsel is currently participating in an ad hoc committee for the elaboration of a national plan of action on human rights education, established by the Ministry of Foreign Affairs and the Ministry of Education with the joint support of the Office of the High Commissioner, the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the United Nations Children's Fund (UNICEF). Copies of all human rights publications produced by the Office of the High Commissioner in El Salvador have been provided to the documentation centre of the Office of the Human Rights Counsel.

36. As part of the work of the field office in Guatemala, training has been provided to staff of the Office of the Counsel for Human Rights for the establishment of an Office of the Deputy Counsel for Human Rights for the rights of the indigenous populations. An expert was hired by the Office of the High Commissioner to provide and to facilitate consultations between the Office of the Counsel and the indigenous populations groups. The field office in Guatemala maintains a close relationship with the Office of the Counsel for Human Rights for the coordination of all technical cooperation activities as well as for the coordination of consultations with different thematic mandates, including with the special rapporteurs of the Commission on Human Rights conducting fact-finding visits to the country (the Special Rapporteur on the sale of children, child prostitution and child pornography and the Special Rapporteur on the independence of judges and lawyers). The work of the Office of the High Commissioner in Guatemala in this area has been jointly implemented and coordinated with both UNDP and the United Nations Human Rights Verification Mission in Guatemala (MINUGUA).

37. In October 1998, the High Commissioner for Human Rights signed a memorandum of understanding with the Andean Commission of Jurists to facilitate assistance to Member States of the subregion, including in the area of national human rights institutions. A regional technical cooperation programme to implement this agreement is currently being discussed. During 1998, the Office of the High Commissioner also discussed with the Inter-American Institute of Human Rights, based in San Jose, Costa Rica, an agreement of cooperation that includes assistance to

national institutions that comply or are committed to comply with the Paris Principles.

C. Assistance provided by the Office of the United Nations High Commissioner for Human Rights to international and regional meetings of national institutions

38. The second Regional Conference of African National Human Rights Institutions was held in Durban, South Africa, from 30 June to 3 July 1998. The conference, convened by the Office of the High Commissioner and the Coordinating Committee of African National Institutions, was attended by the High Commissioner and was hosted by the South African Human Rights Commission. The Declaration adopted in Durban by the Conference national institutions recognized the importance of creating and developing national human rights institutions in African countries, in conformity with the Paris Principles in order to ensure their credibility, integrity, independence and effectiveness.

39. National human rights institutions in the Asia Pacific region have been meeting, with the support of the Office of the High Commissioner, on an annual basis. The first regional workshop of Asia Pacific national institutions was held in Darwin, Australia, in 1996. The forum held its second workshop in New Delhi in 1997 and its third in Jakarta in 1998. The fourth Asia Pacific workshop of national institutions will convene in Manila, in September 1999.

40. The Office of the High Commissioner has sent representatives to the last two meetings of the Ibero-American Federation of Organizations, which groups national institutions from the region. The meetings attended were the second congress of the Federation, held in Toledo, Spain, in 1997, and the third congress held in Lima from 6 to 9 September 1998.

D. Consultations with national human rights institutions by treaty monitoring bodies and protection mechanisms established by the Commission on Human Rights

41. During the examination of States parties reports, treaty monitoring bodies systematically request States parties to submit detailed information on whether they have established an independent institution with a specific mandate to protect and promote human rights at the national level.

42. Consultations with established national human rights institutions is normal practice for almost all established working groups, special rapporteurs and independent experts of the Commission on Human Rights. This includes the Working Group on Enforced or Involuntary Disappearances, the Working Group on Arbitrary Detention and thematic and country rapporteurs and independent experts, who, during their missions to countries where such institutions have been established, conduct consultations with them. More information on these consultations can be found in their annual reports to the Commission on Human Rights and the General Assembly.

43. At its 51st plenary meeting, on 1 December 1998, the Committee on Economic, Social and Cultural Rights adopted General Comment no. 10, recognizing the important role of national human rights institutions in the protection of economic, social and cultural rights at the national level and emphasizing the importance of ensuring that the mandates of national human rights institutions include appropriate attention to economic, social and cultural rights. States parties are requested to include information on both the mandates and the main activities of such institutions in their reports to the Committee.

44. The Committee on the Rights of the Child has systematically requested States parties to submit detailed information on whether they have established an independent mechanism to monitor the rights of the child at the national level. If States parties do not have such a mechanism, the Committee has recommended this as a priority. In situations where States parties have already established national human rights institutions, the Committee has sought information about the mandate, resources and functioning of such institutions to enable it to assess whether the rights of children are being adequately addressed.

E. Activities of the Office of the United Nations High Commissioner for Human Rights within the framework of the United Nations Decade on Human Rights Education and Third Decade to Combat Racism and Racial Discrimination

45. Most established national institutions have a mandate to promote human rights education at the national level. As part of the activities of the United Nations Decade on Human

Rights Education, coordinated by the Office of the High Commissioner, in close cooperation with UNESCO, representatives of national human rights institutions have participated at the international, regional and/or national level in activities of the Decade. Several national institutions have been involved in the elaboration and implementation of national action plans on human rights education and many institutions have sent materials to the Office of the High Commissioner.

46. In accordance with Commission on Human Rights resolution 1999/78 of 28 April 1999, on racism, racial discrimination, xenophobia and related intolerance, the Office of the High Commissioner has recently addressed a letter to all Governments and national institutions to review the progress made and to reappraise the obstacles in this area.

F. Cooperation between the Office of the United Nations High Commissioner for Human Rights, other United Nations agencies and programmes and international and regional organizations

47. Many activities and programmes for the establishment or strengthening of national institutions have been conducted in close cooperation with UNDP, within the framework of the memorandum of understanding concluded in 1998. The Office of the High Commissioner is also jointly implementing with UNDP the project on Human Rights Strengthening (HURIST), which has a significant national institutions component. The Office is also involved in a joint programme with UNDP to provide training for UNDP resident representatives, including training on the role of independent national institutions in capacity-building for sustainable development. The Special Adviser has participated in both training courses conducted so far, the first in Côte d'Ivoire for UNDP resident representatives in the West and Central African region and the second in Sri Lanka for UNDP resident representatives in the Asia-Pacific region.

48. The Office of the High Commissioner has also been working closely with several other United Nations agencies and programmes, including the United Nations Volunteers, within the framework of a memorandum signed with the Office in 1995, as well as with other multilateral organizations, including the OSCE (in Kazakhstan, Kyrgyz Republic, Ukraine and Uzbekistan) and the Commonwealth (in countries such as Malawi).

III. Coordinating Committee of National Institutions

49. As endorsed by the Commission on Human Rights in resolution 1994/54, the international Coordinating Committee continues to hold its annual meetings in conjunction with the annual session of the Commission on Human Rights. The Coordinating Committee held its sixth and seventh sessions at the United Nations Office at Geneva on 2, 3 and 6 April 1998 and from 20 to 22 April 1999, respectively. The High Commissioner for Human Rights encouraged representatives of national institutions to continue meeting, in particular at the regional level, and reiterated that the Office of the High Commissioner would be supportive of these activities.

50. During the seventh session of the Coordinating Committee, the Credentials Committee, established during the sixth session, examined materials submitted by a number of national institutions without adopting any final decision. At the invitation of the Advisory Council for Human Rights of Morocco, the Coordinating Committee decided to hold its next biennial international meeting of national institutions in Marrakesh, in 2000. Separate reports on the sixth and seventh annual sessions of the Committee are available through the Office of the High Commissioner upon request.

IV. Participation of national human rights institutions in meetings of the Commission on Human Rights

51. The issue of participation by national institutions in meetings of the Commission on Human Rights and its subsidiary bodies was the subject of several proposals and resolutions of the Commission on Human Rights (resolutions 1997/34 and 1998/55) and the General Assembly (resolution 52/128, para. 13).

52. National human rights institutions have repeatedly expressed the wish that their work find an expression in other fora of the United Nations. At the fifty-fourth session of the Commission on Human Rights, during consideration of the item of the agenda relating to national human rights institutions, the Chairman decided that national institutions addressing the Commission could do so from a special section of the floor, set aside specifically for this purpose, under the name plate "National institutions". This arrangement was maintained at the fifty-fifth session of the Commission.

V. Role of the national human rights institutions in the commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights at the national and local levels

53. During the fiftieth anniversary of the Universal Declaration of Human Rights, several commemoration activities were organized by national human rights institutions. One of the major initiatives was an international workshop of national institutions for the promotion and protection of human rights held in Paris on 3 December 1998, hosted by the national Human Rights Consultative Commission of France.

VI. Conclusions and recommendations

54. The work of the Office of the United Nations High Commissioner for Human Rights in the area of national institutions has increased rapidly during the past two years. Member States are encouraged to continue supporting the efforts of the Office in this area and to provide additional financial resources as part of their contributions to the programme of advisory services and technical assistance in the field of human rights, to enable the Office to further extend its activities in support of Member States that request assistance in establishing national institutions and also to support such institutions in their work.

55. The holding of regional meetings of national institutions and international meetings of the Coordinating Committee to promote the exchange of information and experience concerning the establishment and effective operation of such institutions has proved an effective mechanism for the strengthening of those institutions at the national level and to further increase awareness of issues in the field of human rights. These meetings have been conducted with the direct support and participation of the Office of the United Nations High Commissioner for Human Rights and will continue with such support.

Notes

[1] A/52/468.

[2] E/CN.4/1998/47.

[3] E/CN.4/1999/95.

[4] E/CN.4/1998/16, chap. VI, recommendation no. 18.